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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 **ALFONSO CARRANZA,**

15 Petitioner,

16 v.

17 **ROBERT AYERS, JR., Warden,**

18 Respondent.

C 08-2511 PJH

**RESPONDENT'S REQUEST FOR AN
EXTENSION OF TIME TO RESPOND
TO PETITION PENDING
RESPONDENT'S REQUEST TO STAY;
SUPPORTING DECLARATION OF
COUNSEL; [PROPOSED] ORDER**

19 Judge:

The Honorable
Phyllis J. Hamilton

20
21 **REQUEST FOR EXTENSION OF TIME**

22 For the reasons set forth in the accompanying declaration of counsel, Respondent
23 respectfully requests an extension of time to respond to Alfonso Carranza's Petition for Writ of
24 Habeas Corpus, either 30 days after Respondent's Request to Stay this matter is denied or 30
25 days after the issuance of the mandate in *Hayward v. Marshall*, 527 F.3d 797 (9th Cir. 2008) if
26 Respondent's Request to Stay is granted.

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Req. for Extension of Time; [Proposed] Order

Carranza v. Ayers
C 08-2511 PJH

SUPPORTING DECLARATION OF COUNSEL

I, AMANDA J. MURRAY, declare as follows:

1. I am an attorney admitted to practice before the courts of the State of California and before this Court. I am employed by the California Attorney General's Office as a Deputy Attorney General in the Correctional Writs and Appeals Section, and am assigned to represent Respondent in this case.

2. On May 21, 2008, this Court ordered Respondent to respond to Carranza's Petition for Writ of Habeas Corpus by July 21, 2008.

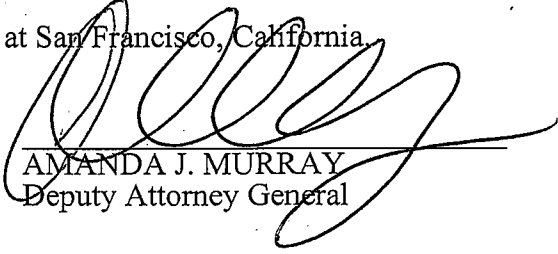
3. On June 10, 2008, my secretary electronically filed Respondent's Request to Stay Pending Issuance of Mandate in *Hayward*. To date, the Court has not ruled on Respondent's Request.

4. Because of Respondent's pending Request, Respondent respectfully requests either: (1) a 30-day extension of time after this Court denies Respondent's Request to Stay; or (2) if this Court grants Respondent's Request, a 30-day extension of time after the issuance of the mandate in *Hayward*.

5. This request for an extension of time is not made for any purpose of harassment, undue delay, or for any improper reason. Respondent has not requested any other extensions of time to respond to the Court's May 21, 2008 Order to Show Cause.

6. Carranza is a state prisoner and cannot easily be contacted about this requested extension of time. Respondent would suffer substantial harm without this extension of time because I would be unable to file a timely response and this Court would not have an opportunity to rule on Respondent's Request to Stay.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 17, 2008, at San Francisco, California.


AMANDA J. MURRAY
Deputy Attorney General

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Carranza v. Ayers**

No.: **C 08-2511 PJH**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On **July 17, 2008**, I served the attached

**RESPONDENT'S REQUEST FOR AN EXTENSION OF TIME TO RESPOND TO
PETITION PENDING RESPONDENT'S REQUEST TO STAY; SUPPORTING
DECLARATION OF COUNSEL; [PROPOSED] ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

**Alfonso Carranza, E-30803
San Quentin State Prison
1 Main Street
San Quentin, CA 94964
In Pro Per**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **July 17, 2008**, at San Francisco, California.

M.M. Argarin
Declarant


Signature